

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
3573-110.1 US

In Re Application Of: Jose Ramon Botella

REC'D 27 2000

Serial No.  
09/669,476

Filing Date  
09/25/00

Examiner  
TBA

Group Art Unit  
TBA

Invention: Novel ACC Synthase Gene

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

11/20/00

Date

Enclosed herewith for filing are the following:

- A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- Other (list):

Request for Corrected Filing Receipt

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
**3573-110.1 US**

In Re Application Of: Jose Ramon Botella



Serial No.  
**09/669,476**

Filing Date  
**09/25/00**

Examiner  
**TBA**

Group Art Unit  
**TBA**

Invention: Novel ACC Synthase Gene

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

Completion of application fees as calculated below:

<input checked="" type="checkbox"/> Utility application filing fee	\$690.00
<input type="checkbox"/> Design application filing fee	
<input checked="" type="checkbox"/> Total number of independent claims = <u>9</u>	\$702.00
<input checked="" type="checkbox"/> Total number of claims = <u>13</u>	\$234.00
<input type="checkbox"/> Multiple dependent claims	
<input type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath	
<input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor	
<input type="checkbox"/> Fee for processing an application filed with a non-English language specification	
<input checked="" type="checkbox"/> Fee for processing and retention of application	\$130.00

Total completion of application fees 1,756

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

One month       Two months       Three months       Four months       Five months

from: \_\_\_\_\_

Date

until: \_\_\_\_\_

Date

Total time extension fees \_\_\_\_\_

Total fees due \$1,756.00

Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Large Entity)

Docket No.  
3573-110.1 US

In Re Application Of: Jose Ramon Botella



Serial No.  
09/669,476

Filing Date  
09/25/00

Examiner  
TBA

Group Art Unit  
TBA

Invention: Novel ACC Synthase Gene

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of \$1,756.00 is to be paid as follows:

- A check in the amount of the fee is enclosed.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 13-2165
- A duplicate copy of this sheet is enclosed.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 13-2165
- A duplicate copy of this sheet is enclosed.

Mary Kakefuda  
Signature

Dated: December 20, 2000

Mary Kakefuda Reg. No. 39,245  
Mathews, Collins, Shepherd & Gould, P.A.  
100 Thanet Circle Suite 306  
Princeton, NJ 08540

I certify that this document and fee is being deposited on  
12/20/00 with the U.S. Postal Service as first  
class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

Mary Kakefuda  
Signature of Person Mailing Correspondence

Mary Kakefuda

Typed or Printed Name of Person Mailing Correspondence

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/669,476	09/25/2000	1649		3573-110.1-US	10	33	12

f152

Mathews Collins Shepherd & Gould P A  
100 Thanet Circle  
Suite 306  
Princeton, NJ 08540-3662



**FILING RECEIPT**



Date Mailed: 11/20/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Jose Ramon Botella, Kenmore, AUSTRALIA;

**Continuing Data as Claimed by Applicant**

627 04/06/2000 PAT 6,124,525

THIS APPLICATION IS A CON OF 09/043,687 09/20/1998 PAT 6,144,793

WHICH IS A 371 OF PCT/JP97/02616 07/29/1997

PCT/AU96/00591 09/20/96

**Foreign Applications**

AUSTRALIA PN5559 09/20/1995

AUSTRALIA PN9603 05/02/1996

If Required, Foreign Filing License Granted 11/19/2000

**Title**

Novel ACC synthase gene

**Preliminary Class**

800



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/669,476	09/25/2000	Jose Ramon Botella	3573-110.1-US

Mathews Collins Shepherd & Gould P A  
 100 Thanet Circle  
 Suite 306  
 Princeton, NJ 08540-3662



## FORMALITIES LETTER



"OC00000005566950"

Date Mailed: 11/20/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.

*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*

01/02/2001 KZEN/DIE 00000051 09669476

- Total additional claim fee(s) for this application is \$936.
 

<ul style="list-style-type: none"> <li>\$234 for 13 total claims over 20.</li> <li>\$702 for 9 independent claims over 3 .</li> </ul>	01 FC:101 710.00 CH 02 FC:105 130.00 CH 03 FC:102 720.00 CH 04 FC:103 30.00 CH 136.00 CH
---	---
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required under 37 CFR 1.821(e).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-1123
- For CRF Submission Help, call (703) 308-4212
- PatentIn Software Program Support
  - For Technical Assistance, call (703) 287-0200
  - To Purchase PatentIn Software, call (703) 306-2600

- The balance due by applicant is \$ 1756.



*A copy of this notice MUST be returned with the reply.*

*B6 T-6*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Sector \$

3573-110.1 US



FIRST CLASS MAIL CERTIFICATE

Date of Deposit: December 20, 2000

I hereby certify that this paper is being deposited with the United States Postal Service as prepaid first class mail on the date indicated above and is addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.

Mary Kakefuda  
Mary Kakefuda

In re Application of  
Jose Ramon Botella

Serial No. 09/669,476

Group Art Unit: TBA

Filed :September 25, 2000

Examiner: TBA

For : NOVEL ACC SYNTHASE GENE

The following documents are enclosed herewith:

Type of documents:

1. Response to Notice to File Missing Parts;
2. copy of Notice to File Missing Parts;
3. Preliminary Amendment;
4. Request for Corrected Filing Receipt;
5. marked-up copy of Filing Receipt;
6. Our check, in the amount of \$1756.00;
7. Acknowledgment Post Card.

FIRST CLASS MAIL CERTIFICATE

Date of Deposit: December 20, 2000

I hereby certify that this paper is being deposited with the United States Postal Service as prepaid first class mail on the date indicated above and is addressed to Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.



Mary Kakefuda  
Mary Kakefuda

3573-110.1 US

Applicant: Jose Ramon Botella

Serial No.: 09/669,476

Group Art Unit: 1649

Filed: September 25, 2000

Examiner: TBA

Title: NOVEL ACC SYNTHASE GENE

**Request for Corrected Filing Receipt**

Please correct the Filing Receipt dated November 20, 2000 to correct the Continuing Data as noted on the attached marked-up copy of the filing receipt.

The Continuing Data is incorrect due to a typographical error by the Patent Office. The Continuing Data should appear as follows:

This Application is a Con of 09/043,627 04/06/2000 PAT 6,124,525

Which is a 371 of PCT/ AU96/00591 filed 9/20/96

The number of the parent application was inadvertently typed as 09/043,687 instead of 627. The number was correctly typed on the Patent Transmittal (copy attached with return receipt card).

No fee is believed due, however, please charge any fees to the Deposit

Account No. 13-2165.

Respectfully submitted,

Date: December 20, 2000

Mary Kakefuda  
Mary Kakefuda  
Reg. No. 39,245

Mathews, Collins, Shepherd & Gould, P.A.  
100 Thanet Circle  
Suite 306  
Princeton, New Jersey 08540  
Phone (609) 924-8555  
Fax (609) 924-3036

Enclosures